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**4. Same—Desertion—Justification.**—Desertion by a spouse can only be justified by showing such conduct in the other consort as would entitle the person who absents himself to a divorce.

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TRUCKERS' MFG. & SUPPLY CO. *v.* WHITE.

March 12, 1908.

[60 S. E. 630.]

**1. Master and Servant—Safe Appliances—Duty to Provide.**—A master must use ordinary care to provide reasonably safe and suitable machinery and appliances for the use of his servants, and will be liable for injury to them resulting from omission to exercise such care.

[Ed. Note.—For cases in point, see Cent. Dig., vol. 34, Master and Servant, §§ 173, 178.]

**2. Same—Assumption of Risk—Risks Assumed.**—A servant assumes all the ordinary risks of his employment, including, generally, all risks from causes known to him and those which are open and obvious.

[Ed. Note.—For cases in point, see Cent. Dig., vol. 34, Master and Servant, §§ 538, 550, 574-600, 610-624.]

**3. Same—Servant's Duty.**—A servant must exercise reasonable care and caution for his own safety.

[Ed. Note.—For cases in point, see Cent. Dig., vol. 34, Master and Servant, § 674.]

**4. Same—Assumption of Risk.**—Where a servant remains in his master's employ with knowledge of a defect in or of the unsuitableness of machinery or an appliance furnished by the master for his use, and continues to use it without notifying the master of the defect or unsuitableness, or without the master's promise to render the same less dangerous, he is deemed to have assumed a risk of all danger to be reasonably apprehended from its use, and must exercise the care and caution which the perils of the business demand.

[Ed. Note.—For cases in point, see Cent. Dig., vol. 34, Master and Servant, § 583.]

**5. Appeal—Review—Conclusiveness of Findings.**—A verdict is conclusive, where there is a sharp conflict of evidence, though reasonable men might differ on a proper determination of the issue.

[Ed. Note.—For cases in point, see Cent. Dig., vol. 3, Appeal and Error, §§ 3935-3937.]

**6. Trial—Instructions—Omissions Supplied by Other Instructions.**—Where an instruction is incomplete, but states the law correctly as far as it goes, and the omitted part is supplied by other instructions, such omission is not reversible error.

[Ed. Note.—For cases in point, see Cent. Dig., vol. 46, Trial, § 706.]